

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Philip Hunter,)	C/A No.: 3:16-524-MBS -SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
South Carolina Department of Public)	
Safety,)	
)	
Defendant.)	
)	

This matter comes before the court on Plaintiff’s motion to stay proceedings in this matter pursuant to the Servicemembers Civil Relief Act, 50 U.S.C. § 3901, *et seq.* (“SCRA”). [ECF No. 20]. The SCRA provides that the court shall grant a stay of civil proceedings in cases where the application includes the following:

(A) A letter or other communication setting forth facts stating the manner in which current military duty requirements materially affect the servicemember’s ability to appear and stating a date when the servicemember will be available to appear.

(B) A letter or other communication from the servicemember’s commanding officer stating that the servicemember’s current military duty prevents appearance and that military leave is not authorized for the servicemember at the time of the letter.

50 U.S.C. § 3932(b)(2). Plaintiff’s motion states that he reported to his deployment in Ft. Bliss in Texas beginning December 5, 2016, for a period not to exceed 353 days. [ECF No. 20]. Plaintiff also submitted his orders demonstrating his deployment. [ECF No. 20-1]. Pursuant to the SCRA, the undersigned grants Plaintiff’s motion for a stay. Upon his

return, Plaintiff is directed to advise the court immediately, and no later than November 27, 2017.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

January 18, 2017
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge